



DIRECTIONS

Fish & Wildlife News

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Update on Budget Constraints

As many of you have no doubt heard, undedicated revenues to the General Fund are well below anticipated levels. This shortfall is associated with reduced income tax receipts which reflect the performance of the stock market and associated capital gains and losses. In response Governor King has issued an executive order with the goal of balancing the general fund budget by reducing spending.

While the concern is with general fund revenues, all agencies and all funds will be impacted. Through savings we may be able to bridge the period without more severe measures or if more severe measures are necessary maintaining vacancies in positions supported by dedicated fund and higher balances in those funds will provide more options for us to address shortages in other accounts. I am asking each of you to spend cautiously and whenever possible to avoid spending money.

On the other hand we all need to continue to do our jobs - serving the public and being good stewards of the resources we are entrusted to protect and manage. I realize that limited funding and being asked to do more with less is nothing new to most of you. You have done an outstanding job in the past and I am sure will do so in the future.

There are no specific savings targets at this time. By applying the following guidelines we will help define what is attainable and how much additional savings will be necessary to balance the budget:

- Hiring Freeze is currently placed on all positions that are vacant or that will become vacant. Exceptions may be approved based upon the positions impact to health, safety or welfare of the public. Exceptions may be extended to positions that have no impact on the general fund and that are essential to the mission of the agency.
- Unscheduled overtime will not be permitted except with the approval of your Bureau Director.
- Out-of-State Travel is not authorized. Exceptions may be considered when the travel is:
 - 1) required in the execution of law enforcement investigations;
 - 2) involved in the securing of revenue or directly impacts revenue;
 - 3) an emergency; or
 - 4) necessary to maintain effective operations.

- Employees are required to request travel through their immediate supervisor in advance of committing funds for accommodations, transportation, etc. and completing travel request forms. If the request is approved by the Bureau Director, the required forms will be processed in the normal manner. Some travel will be necessary in order to advocate for funds and conservation initiatives. When travel is required we want to maintain our current practice of traveling as cheaply as possible. Preplanning and early communication with your supervisor will help as all insure that we can take advantage of all cost saving opportunity and complete the trip in the most cost efficient and effective manner.
- In-state travel must be reduced to the absolute minimum. Again we need to maintain effective operations but when possible alternatives to in-state travel should be used. Consider teleconferencing. Condense agendas and avoid overnight stays.
- Car-pooling is strongly encouraged.
- Lapsed Balances will be frozen. Any unspent funds will not be available to spend.
- Capital equipment purchases are frozen. Exceptions for emergencies and purchases that maintain effective and less costly operations may be considered.
- New and renewal contracts for services to state agencies, grants will be scrutinized carefully to determine if a true emergency exists or if a contract is required for continued, cost effective operation of necessary state functions. An emergency is defined as an immediate need to protect the health or safety of the public. Continued, cost effective operation is defined as those contracted services that must be performed because they are essential; maintain the most cost effective operation and no other alternatives are available.

Again thank you for your past and future efforts to insure that we provide exceptional yet economical service.

- Lee Perry

Summary of Enacted Legislation

Several pieces of legislation that affect the Inland Fisheries and Wildlife statutes were signed into law by Governor King during the Second Regular Session of the 120th Legislature.

New laws that were not enacted as “emergency” take effect July 25th, or have an effective date specified in the law. However, some of the fish and wildlife related changes were enacted as emergency legislation and have already gone into effect.

I’ll first discuss **emergency** legislation that affects our department.

A. (L.D. #1939 - Public Law Chapter 530) An Act to Allow Landowner Permits to be issued for Turkey Hunting

This bill authorizes the commissioner to include a provision in the rule for turkey hunting giving special consideration to landowners who keep their lands open to hunting by the public. **(12 MRSA Section 7468).**

This is being proposed by rule as follows: Allow landowners who own 25 acres of land located within the turkey hunting zone, are permanently domiciled on that land, and manage the land for the raising and selling of daily cattle, dairy products, or beef cattle to hunt wild turkeys on that land without a permit. Family members permanently domiciled on that land would also be eligible to hunt turkeys on that land without a permit. Landowners would be allowed to take one turkey per season, in accordance with all laws, rules and restrictions that apply during that season.

B. (L.D. #1923 – Public Law Chapter 655) An Act to Amend Maine’s Wild Turkey Hunting Season

This bill amends the laws regarding turkey hunting by: 1) Authorizing the commissioner to establish open seasons; 2) designate areas that are open to the taking of wild turkey; 3) prescribe the form and regulate the number of permits to be issued; 4) determine the number and sex of birds to be harvested; 5) establish bag limits; 6) establish permit eligibility requirements; 7) specify the type of weapons to be used during any open wild turkey hunting season, and make any other rules necessary for the protection of the wild turkey resource. The bill establishes fees for wild turkey hunting permits at \$10 for residents and \$40 for nonresidents and aliens. This legislation also adds wild turkey to the law regarding nuisance animals and animals causing damage (crops, vehicles collisions, etc.) **(12 MRSA Section 7468, 7469, 7501)**

C. (L.D. # 1968 - Public Law Chapter 536) An Act to Require the Owner of a Submerged Snowmobile or Boat to Remove the Snowmobile or Boat

This law prohibits the operation of snowmobiles on open water – open water being defined as any area of an inland water body that is free of ice and snow. It requires

that the owner or operator of a snowmobile that becomes submerged must remove the snowmobile within 24 hours and pay any damages resulting from the submersion or removal. If a person fails to do so, the commissioner can remove the snowmobile at the expense of the owner or request in writing that the court direct the person to remove it immediately. **(12 MRSA Section 7827)**

D. (L.D. #2083 — Public Law Chapter 667) AN ACT to Correct Errors and Inconsistencies in the Laws of Maine

This bill is similar to our omnibus in that it makes technical corrections to the statutes. It contains several changes that affect Title 12 such as making several technical corrections to the law in regards to decriminalization of specific violations, i.e., unattended ice fishing lines, fishing cusk at night, rules for keeping wild animals in captivity. **(12 MRSA Section 7901-A).** There is a clarification in the law regarding the taking of smelts with a wholesaler’s license to exempt hook and line fishing from the grader requirement and amend the description of a number 14 grader **(12 MRSA Section 7171).** The bill also changes archaic language in regards to ice fishing regulations being linked to open water regulations. We have adopted separate regulations for ice and open water fishing for many years making that language unnecessary.

The following are law changes that were NOT emergency legislation and therefore do not become effective until 90 days after the Legislature has adjourned. These will take effect July 25th.

A. (L.D. #2078 - Public Law Chapter 610) An Act to Ban the Use of Aircraft While Hunting

This law prohibits a person on the ground or airborne from using an aircraft to aid or assist in hunting big game (big game being defined as bear, deer and moose). **(12 MRSA 7406)**

B. (L.D. # 2204 - Public Law Chapter 638) An Act to Implement Municipal Recommendations Regarding Surface Water Use on Great Ponds

This bill implements the recommendations from towns for restricting watercraft on bodies of water within a municipality’s jurisdiction. The restrictions are as follows:

Motorboats having more than 10 horsepower are prohibited on Middle Branch Pond in the towns of Alfred and Waterboro as well as Adams Pond, Foster Pond and Otter Pond in the town of Bridgton. Personal watercraft are prohibited on Crystal Lake in the Town of Washington and Middle Branch Pond in Waterboro and

Alfred. Personal watercraft that are rented must display a decal identifying the rental agency on Highland Lake or Woods Pond in the Town of Bridgton. **(12 MRSA Section 7801)**

C. (L.D. # 2104 - Resolve Chapter 104) RESOLVE, to Further Protect Endangered and Threatened Species Through Better Communication

This piece of legislation directs the Departments of Inland Fisheries & Wildlife and Conservation to evaluate the current system of communication between the departments and with private landowners and foresters regarding the location of endangered and threatened species on private property and report their findings and any proposed legislation to the Legislature by January 2, 2003.

D. (L.D. # 2081 - Public Law Chapter 693) AN ACT to Implement the Unanimous and the Majority Recommendations of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-Terrain Vehicles and Watercraft

This bill establishes the percentages of gasoline taxes that are attributable to snowmobile, all-terrain vehicles and motorboat gasoline purchases and equitably distributes that percentage among the appropriate state agencies (DIF&W, DMR and DOC) for the administration of programs and the enforcement of laws relating to the use of those recreational vehicles. **(17 MRSA Section 331)**

E. (L.D. #2120—Private and Special Law Chapter 71) AN ACT to Authorize a General Fund Bond Issue in the Amount of \$23,800,000 [to Remove Discharges and Make Renovations and Enhance Wastewater Treatment at the DIF&W Fish –Rearing Facilities].

This piece of legislation authorizes that the following be submitted to the legal voters of the State of Maine at the next general election in the month of November: “Do you favor a bond issue [in the amount of \$7,000,000] for the following purposes: to make renovations and enhance wastewater treatment at DIF&W fish-rearing facilities?”

F. (L.D. #1929 — Public Law Chapter 690) AN ACT to Stabilize Funding for the Department of Inland Fisheries and Wildlife

Last but certainly not least, the most important bill of the session establishes a Fiscal Stability Program whereby the governor is required to submit a budget that includes an appropriation from the General Fund of 18 percent of the Department’s biennial budget request. This appropriation is to cover the cost of services that are provided by the Department to the public which are not covered by the purchase of licenses or permits. The bill creates a WE-CARE (Wildlife Enthusiasts Conservation, Recreation and Enjoyment) certificate for purchase by those who wish to support the Department but don’t purchase hunting or fishing licenses. The revenue from this certificate will go towards non-game programs administered by the Department. In addition, the bill raises the fees for several permits (bear, moose, etc), as well as raising the registration fee for all-terrain vehicles. This bill had several effective dates but the majority of increases do not take effect until January 2003.

The sections numbers in bold following each summary are the sections of law that were affected by the law changes. There may be other pieces of legislation that have either not been received or were overlooked at the time this summary was prepared. I will make every attempt to notify you if that occurs and will be publishing a supplement to the biennial (Title 12) in the very near future. If you have questions or interest in any of the items listed, please feel free to call me at 287-5201 or e-mail me at andrea.erskine@state.me.us.

Employee Movement

Promotions

Michael Andrews, Fish Culturist to Fish Culture Asst. Supv. Casco Hatchery.
Jamie Bray, Fish Culturist Dry Mills to Fish Culture Asst. Supv. New Gloucester Hatchery.
Henry Hartley, Fish Culturist to Fish Culture Asst. Supv. Enfield.
Stephen Tremblay, Fish Culture Asst. Supv. to Fish Culture Supv. Casco Hatchery.

Transfers

Kyle Johnson Fish Culturist seasonal Phillips to fulltime at Enfield Hatchery.

Resignations

Christina Brandt, Clerk II Licensing & Registration eff 4/19.
Garrett Schairer, Biologist I Bangor Habitat Group eff 4/26.

Terminations

Chris Hoffman, Fish Culturist New Gloucester eff 4/5.

Retirements

Bruce Winslow, Fish Culture Supv. Casco Hatchery eff 4/30.

Strange and Unusual Questions Asked of the Information Center

I'd like the blue book value of an outboard motor that I'm selling.

Hello, I need some information for a report. Do you have any info on Sasquatch (Big Foot)? Do you know who does?

Do you know the telephone number to the Augusta dump?

Can you hunt from a horse?

What's the phone number to Ft. Western?

I need information on renting an island, Warren Island in Penobscot Bay.

What is the ph of fish saliva?

I want information on a company moving to Maine because I might work for them.

What do I need in order to sell medical supplies?

Could you tell me what the initials SMVTI stand for?

Is it ok to feed crows my leftover garlic bread that has butter on it?

Hello, I'm looking for the water temperature behind Maine Yankee.

Where do I go to rent a Smokie the Bear costume?

Do you have any pictures of alder bushes?

I hit a deer with my car a week ago and have had it hanging ever since, Is the mear still good?

Can you tell me the altitude in Limerick?

I want to talk to the IF&W tick biologist, are the ticks going to be bad this year?

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